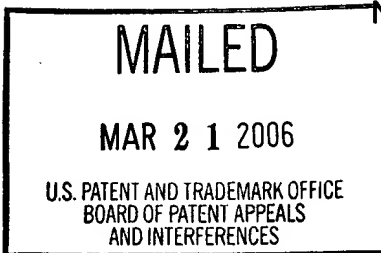


UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte STEVEN M. LEFKOWITZ, NAMYONG KIM
NELSON R. HOLCOM, JOHN S. HARGREAVES
GERALDINE F. DELLINGER and
DOUGLAS J. DELLINGER



Application No. 09/944,083

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 9, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The Examiner's Answer mailed October 19, 2005 is defective because in paragraph 8 it is stated, "no evidence is relied upon by the examiner." However prior art was applied. Appropriate correction is required.

A review of the file indicates that the 2nd or subsequent Examiner's Answer mailed, February 22, 2006, has not been scanned into the Image File Wrapper (IFW).

Application No. 09/944,083

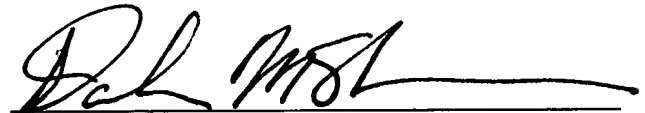
This paper needs to be scanned into the IFW and the case should be held for the two-month response period. However, if there is no 2nd or subsequent Examiner's Answer, this entry should be corrected in the PALM System.

Accordingly, it is

ORDERED that the application is returned to the Examiner to list the prior art being relied on under the heading Evidence Relied Upon in paragraph 8 in the Examiner's Answer, have the March 7, 2006 2nd or subsequent Examiner's Answer scanned into the IFW and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



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